

Amendment No. 1 to SB0143

Beavers
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 143*

House Bill No. 108

By deleting subsections (d) and (e) of Section 44-8-413 of the amendatory language of
SECTION 1 and substituting instead the following:

(d) The provisions of this section shall not be construed to impose liability
upon the owner of the dog if:

(1) The dog is a police or military dog, the injury occurred during
the course of the dog's official duties and the person injured was a party
to, a participant in or suspected of being a party to or participant in the act
or conduct that prompted the police or military to utilize the services of the
dog ;

(2) The injured person was trespassing upon the private property
of the dog's owner;

(3) The injury occurred while the dog was protecting the dog's
owner or other innocent party from attack by the injured person;

(4) The injury occurred after the injured person was given notice
to beware of the dog either orally, in writing or by visible signage;

(5) The injury occurred while the dog was securely confined in a
kennel, crate or other enclosure; or

(6) The injury occurred as a result of the injured person enticing,
disturbing, alarming, harassing, or otherwise provoking the dog.

(e) As used in this section, "owner" means a person with a property right
in the dog, but does not include a person who, at the time of the injury, is
temporarily harboring, keeping or exercising control over the dog with the
owner's consent.